

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, August 8, 2000, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
CHAIRMAN
First District

JAMES W. SILVA
VICE CHAIRMAN
Second District

TODD SPITZER
SUPERVISOR
Third District

CYNTHIA P. COAD
SUPERVISOR
Fourth District

THOMAS W. WILSON
SUPERVISOR
Fifth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT: INTERIM, CEO Michael Schumacher
COUNTY COUNSEL Laurence M. Watson
CLERK OF THE BOARD Susan Novak, Assistant

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Silva, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS: None

II. CONSENT CALENDAR (Items 1-39)

54231 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 3 & 35 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEMS 37 - 39 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA**

BOARD APPOINTMENTS

1. **Chairman Smith** - Senior Citizens Advisory Council - Appoint Shirley A. Cohen, Santa Ana, to complete term ending 12/31/02
2. **Supervisor Coad** - Assessment Appeals Board No. 3 - Reappoint Rhonda J. McCune, Buena Park, for term ending 8/31/03

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DEPARTMENT APPOINTMENTS

3. **Social Services Agency** - Orange County Child Care and Development Planning Council - Reappoint Jim Stephens, Orange; Marcia Rudolph, Lake Forest; Karen McGlinn, Costa Mesa; Jackie Popp, Santa Ana; Gwen Morgan-Bezell, Santa Ana and appoint Julie Nguyen, Westminster and Sheila Shiebler, Tustin for terms ending 8/5/02; appoint Andrea Karsh and Ellen Jones, Irvine; Elaine Hall, Santa Ana; Martha Ramirez, Midway City; Jennifer Burrell, Rossmore; Vicki Hay, Costa Mesa; and Sherry Padilla and Raylene Hayes, Orange, to complete terms ending 8/5/01; approve certification that Council membership meets mandated representation categories and is reflective of ethnic, racial and geographic distribution of the population of Orange County and receive and file the Council's annual report - All Districts

14235 **APPROVED AS RECOMMENDED**

4. **Health Care Agency** - Emergency Medical Services Quality Assurance Board - Appoint Rob Beuch, Newport Beach and Ken Soltis, Costa Mesa, for terms ending 6/30/02; appoint Kathy Perkins, Mission Viejo and Kathy Robidoux, Los Alamitos, to complete terms ending 6/30/01; and reappoint Jeffrey Buckingham, Orange; Frederick Niblo, Garden Grove and Anne Stratton, Huntington Beach, for terms ending 6/30/02 - All Districts

COMMENDATIONS/PROCLAMATIONS

5. **Supervisor Silva** - Adopt resolution recognizing Parent Help U.S.A. and commending them for their dedication in moving towards educating parents in preventing child abuse
RESO: 00-263
6. **Supervisor Spitzer** - Adopt resolution commending Rehabilitation Institute of Southern California on their 50th Anniversary for its dedication and commitment to the disabled population of Orange County
RESO: 00-264

JOHN WAYNE AIRPORT

7. Approve agreement with CH2M Hill for design of realignment of Taxiway "G" (\$311,120) - District 5

ORANGE COUNTY PUBLIC LIBRARY

8. Authorize submission of application for membership in Arroyo Seco Library Network/Library of California - All Districts
9. Approve agreement with Lake Forest for expansion of El Toro Branch Library facility - District 3

PLANNING AND DEVELOPMENT SERVICES

10. Approve amended agreement D97-113 with Santa Ana for Civic Center Sign Program, extending terms to 12/31/00 - District 1
11. Approve Tract 15905, Warmington LDR Associates II, L.P., Ladera Ranch area; accept dedication for street purposes; accept easement for sidewalk purposes; approve construction agreement S0700-0027

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and accept bonds guaranteeing construction of improvements - District 5

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

12. Approve agreement 00-0120 with State Department of Food and Agriculture for mandated enforcement of nursery stock regulations, 7/1/00 - 6/30/01 (\$27,190) - All Districts
13. Authorize release of bonds for private street improvements, street lights, landscaping and monumentation, Tract 15078, Irvine Community Development Company, Newport Coast area - District 5
14. Authorize release of bonds for private street improvements, sewer and water systems and monumentation, Tract 15202, Western Pacific Housing-Oso, L.P., Coto de Caza area - District 5
15. Adopt resolution certifying completion of street improvements, street lights and monumentation; authorizing release of bonds and accepting public street improvements, Tract 15596, William Lyons Homes, Inc., Aliso Viejo area - District 5
RESO: 00-265
16. Authorize release of bonds for private street improvements, street lights, storm drains and monumentation, Tract 15487, Standard Pacific Corp, Newport Coast area - District 5
17. Adopt resolution certifying completion of street improvements, street lights, sewer and water systems and monumentation; authorizing release of bonds and accepting public street improvements, Tract 15282, William Lyons Homes, Inc., Rancho Santa Margarita - District 5
RESO: 00-266
18. Authorize release of bonds for private street improvements, street lights, storm drains and monumentation, Tract 15486, Standard Pacific Corp., Newport Coast area - District 5
19. Adopt resolution certifying completion of street improvements, street lights and monumentation; authorizing release of bonds and accepting public street improvements, Tract 15516, Shea Homes Limited Partnership, Aliso Viejo area - District 5
RESO: 00-267
20. Authorize release of bonds for private street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 15442, Coto de Caza Ltd., Coto de Caza area - District 5
21. Authorize release of bonds for private street improvements, street lights, landscaping and monumentation, Tract 15337, The Irvine Company, Newport Coast area - District 5
22. Authorize release of security for monumentation, Tract 13872, Talega Associates, LLC, Talega Valley area - District 5
23. Authorize release of bonds for private street improvements and monumentation, Tract 15201, Western Pacific Housing-Oso, L.P., Coto de Caza area - District 5
24. Authorize release of bonds for private street improvements, street lights, landscaping and

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monumentation, Tract 15485, Standard Pacific Corp., Newport Coast area - District 5

- 25 . Approve price agreement N1000002952 with TruGreen LandCare for landscape maintenance service, Bluff Park, 9/1/00 - 8/31/01 (\$29,568); renewable for two additional years; and make California Environmental Quality Act findings - District 5
- 26 . Approve quitclaim to and accept easement deeds from The Irvine Company for drainage easement along Newport Coast Drive; and make California Environmental Quality Act findings - District 5
- 27 . Approve amendment 2 to agreement D95-046 with Orange County Transportation Authority to update list of highway project allocations of Master Agreement; and authorize Director to approve future amendments to agreement - All Districts
- 28 . Receive bids and award contract to Environment Acoustics, Inc., for installation of new acoustical ceiling in Board of Supervisors Hearing Room, Hall of Administration, Santa Ana (\$77,400) - District 1 (4/5 vote)

Acting as the Orange County Flood Control District:

- 29 . Accept work and approve notice of completion, Vadnais Corporation for construction of Phase II, Galivan Retarding Basin and Oso Creek Channel, Laguna Hills and Laguna Niguel; project completed 1/21/00 (\$6,782,000) - District 5
- 30 . Approve agreement D00-019 with Mission Viejo to allow the City's use of district owned property for landscape maintenance and signage, Aliso Creek area - District 3
- 31 . Approve agreement D00-070 with Department of Army for levee certification work; and authorize Director to execute future agreements - Districts 1 & 2

SOCIAL SERVICES AGENCY

- 32 . Approve price agreement N1000002891 with Transnational Computer Technology for temporary computer assistance technician services, 8/14/00 - 8/13/01 (\$343,200) - All Districts

PUBLIC PROTECTION

Sheriff-Coroner:

- 33 . Approve price agreement N1000002927 with Justice Benefits, Inc. to assist in research of federal programs and reimbursement of qualifying expenditures, 08/08/00 - 8/07/04; renewable for two additional years - All Districts (Continued from 7/20/00, Item 79)
- 34 . Approve agreement with Superintendent of Schools for teaching various classes to jail inmates, 7/1/00 - 6/30/01 (\$114,000) - All Districts

GENERAL ADMINISTRATION

- 35 . **County Counsel** - Approve funding of outside counsel for Orange County Airport Land Use

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Commission for continued representation in two pending litigation cases, Orange County Superior Court Case Nos. 00 CC 02500, City of Irvine and 81-76-47, City of Lake Forest v. ALUC (\$250,000) - All Districts

12345 **APPROVED AS RECOMMENDED**
N N

36. **County Executive Office** - Approve renewal of price agreement N3000001563 with COMPUSA for off-site computer training, 9/1/00 - 8/31/01 (\$25,000; new total \$65,000) - All Districts

Supervisor Spitzer:

37. Approve Community Social Program Grant funds to Friends of the Foothill Ranch Public Library; approve budget adjustments; and make appropriate findings, 8/8/00 - 12/31/00 (\$5,000)
54231 **APPROVED AS RECOMMENDED**
N

38. Approve Community Social Program Grant funds to The Discovery Museum of Orange County; approve budget adjustments; and make appropriate findings, 8/8/00 - 12/31/00 (\$6,000)
54231 **APPROVED AS RECOMMENDED**
N

39. **Supervisor Coad** - Approve Community Social Program Grant funds to Orange County Marine Corp Memorial Foundation; approve budget adjustments; and make appropriate findings, 8/8/00 - 12/31/00 (\$1,000)
54231 **APPROVED AS RECOMMENDED**
N

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 40-S54A)

HEALTH CARE AGENCY

40. Adopt resolution approving amendment A-2 to agreement 99-85100 with State Department of Health Services for AIDS related services, 7/1/99 - 6/30/00 (\$125,161; new total \$2,778,875) - All Districts
52341 **APPROVED AS RECOMMENDED**
RESO: 00-268

41. Adopt resolution approving submission of renewal application to State Department of Mental Health for Substance Abuse and Mental Health Services Administration block grant for mental health services, 7/1/00 - 6/30/01 (\$1,043,752) - All Districts
41235 **APPROVED AS RECOMMENDED**
RESO: 00-269

JOHN WAYNE AIRPORT

42. Approve price agreement N1000002974 with BAE Systems Integrated Defense Solutions, Inc. for

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hardware and software maintenance services of the Total Airport Management Information System, 9/1/00 - 8/31/03 (\$533,352); and return to Board for approval of two additional years - District 5

B.O. **CONTINUED TO 8/15/00, 9:30 A.M.**

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ORANGE COUNTY PUBLIC LIBRARY

43. Approve agreement with Orange County Community Foundation for grant funds towards the design and construction of branch library facility, Irvine Historic Park (\$1,000,000) - Districts 3 & 5
53241 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

44. Approve lease with LEED WARNER, LLC for office and warehouse space for records and Adult Services programs, Santa Ana; and make California Environmental Quality Act findings - District 1
15234 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

45. **Acting as Community Facilities District 2000-1 (Ladera Ranch)** - First reading of "An Ordinance of the Board of Supervisors of the County of Orange, State of California, Acting in its Capacity as the Legislative Body of Community Facilities District No. 2000-1 of the County of Orange (Ladera Ranch) Authorizing the Levy of a Special Tax Within Community Facilities District No. 2000-1 of the County of Orange (Ladera Ranch)", and set second reading and adoption for 8/15/00, 9:30 A.M. - District 5 (4/5 vote)
53241 **APPROVED AS RECOMMENDED**
46. Approve proposed response to FY 1999-00 Grand Jury Report "Child Abuse Services Team" - All Districts
15234 **APPROVED AS RECOMMENDED**
47. **Acting as the Board of Supervisors and Community Facilities Districts (CFD)** - Approve in concept, the proposed refunding bond issuance and ratify Public Finance Advisory Committee's selection of financing team for CFD 86-2 (Rancho Santa Margarita) and financing team for two other possible financings CFD 87-5E (Rancho Santa Margarita); and CFD 87-6 (Baker Ranch); and authorize County Executive Office to negotiate agreements and return to the Board for approval - All Districts
53241 **APPROVED AS RECOMMENDED**
48. **Acting as the Community Facilities Districts 86-1, 2, 87-1 - 4, 5A - 5E, 6 - 9, 88-1, 2 and 99-1** - Adopt resolutions approving levying special taxes for FY 2000-01 - Districts 3 & 5
35241 **APPROVED AS RECOMMENDED**
RESO: 00-270 - 00-287
49. Adopt resolutions approving Apartment Development Revenue Bonds, Ladera Ranch Apartments II and III - District 5
53241 **APPROVED AS RECOMMENDED**
RESO: 00-288 - 00-289

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50. Approve amendment 2 to lease with Kenneth W. Koll and Katherine B. Heims, Co-Trustees of the Walter A. Koll Intervivos Trust and sublease to provide storage and office space for Superior Court (\$6,150; new total \$16,356 per month); and make California Environmental Quality Act findings - District 1 (Continued from 8/1/00, Item 53)

B.O. **CONTINUED TO 8/15/00, 9:30 A.M.**

51. **Local Redevelopment Authority - MCAS El Toro** - Approve master lease with United States of America for property at MCAS El Toro; and make California Environmental Quality Act and other findings (Continued from 8/1/00, Item 56)

B.O. **CONTINUED TO 8/15/00, 9:30 A.M.**

52. **Treasurer-Tax Collector** - Approve ballot measure for disbursement of tobacco settlement funds - All Districts

14235 **APPROVED AS RECOMMENDED; INCLUDING DIRECTION TO REGISTRAR TO**
NN **PLACE ON BALLOT, COUNTY COUNSEL TO PREPARE IMPARTIAL ANALYSIS AND**
AUDITOR-CONTROLLER TO PREPARE FISCAL REPORT PURSUANT TO ELECTION
CODE SECTION 6190; AND DESIGNATE INITIATIVE AS MEASURE G

53. **Chairman Smith and Supervisor Coad** - Approve ballot measure for disbursement of tobacco settlement funds

12345 **DELETED FROM AGENDA**

PLANNING AND DEVELOPMENT & PUBLIC FACILITIES & RESOURCES

54. Adopt resolution establishing a schedule of civil fines for building, nuisance and encroachment violations - All Districts

52341 **APPROVED AS RECOMMENDED**

RESO: 00-290

GENERAL ADMINISTRATION

- S54A. **Chairman Smith** - Approve Community Social Program Grant funds to Santa Ana High School Football Team; approve budget adjustments; and make appropriate findings, 8/8/00 - 11/30/00

15234 **APPROVED AS RECOMMENDED**
N

IV. PUBLIC HEARINGS (Item 55)

HOUSING AND COMMUNITY DEVELOPMENT

55. Public Hearing to consider adopting Multi-Year Funding Allocation Policy, Process and Citizen Participation Plan, FYs 2001-03; and make California Environmental Quality Act and National Environmental Policy Act findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

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54231 APPROVED AS RECOMMENDED

V. CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL -- PENDING LITIGATION:
County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The cases are: City of Lake Forest, City of Irvine vs. County of Orange, et al., Orange County Superior Court Cases No. 77 24 42, 79 66 38, and 80 22 50, and Fourth District Court of Appeal, Division III, Case No. G023884 - All Districts

B.O. **HELD; NO REPORTABLE ACTION**

SCS2. **Chairman Smith** - CLOSED SESSION: Chairman Smith requests a closed session to discuss the appointment of public employees, the County Executive Officer and Executive Director of the Local Redevelopment Authority, pursuant to Government Code Section 54957 - All Districts

B.O. **HELD; NO REPORTABLE ACTION**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Ralph Morgan, Jr., Shirley Conger, George Margolin and Charles Griffin - Oral RE: El Toro Airport

BOARD COMMENTS:

Supervisor Coad - Congratulations to IWMD, John Sibley and employees for recognition from Solid Waste Association of North America

Chairman Smith - Thanked the Grand Jury for attending

ADJOURNED: 12:21 P.M.

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*** KEY ***

Left Margin Notes

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BOv Board Order

Right Margin Notes

- O. v Ordinance
- R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

Susan Novak, Assistant
Orange County Clerk of the Board